

OFFICIAL**LEE & STERBA, P.C.**
*ATTORNEYS AND COUNSELORS AT LAW*1101 Wilson Boulevard
SUITE 2000
ARLINGTON, VIRGINIA 22209Telephone 703.525.0978
FACSIMILE 703.525.4265
www.lee-tplaw.com**► FACSIMILE TRANSMITTAL SHEET ◀****FAX RECEIVED****TO: TECHNOLOGY CENTER 1700****DATE: JULY 2, 2003****JUL 03 2003****COMPANY: U.S. PATENT AND TRADEMARK OFFICE****TC 1700****FROM: EUGENE M. LEE, REG. NO. 32,039****FAX NUMBER: 703.872-9310****TOTAL NO. OF PAGES INCLUDING COVER: 3****PHONE NUMBER:****YOUR REFERENCE NUMBER:****CC:****OUR REFERENCE NUMBER: 249/269****RE: U.S. PATENT APPLICATION SERIAL NO. 09/888,435**

Transmitted herewith is:

"RESPONSE TO REQUIREMENT FOR RESTRICTION" in connection with application Serial No. 09/888,435 pending in Art Unit 1746 before Examiner D. Scaltrito.

Return receipt, via facsimile [to 703.525.4265], of the above-referenced RESPONSE TO REQUIREMENT FOR RESTRICTION is hereby requested.

THE INFORMATION CONTAINED IN THIS FACSIMILE IS INTENDED FOR THE NAMED RECIPIENTS ONLY. IT MAY CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION, AND IF YOU ARE NOT AN INTENDED RECIPIENT, YOU MUST NOT COPY, DISTRIBUTE OR TAKE ANY ACTION IN RELIANCE ON IT. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY FACSIMILE OR BY CALLING (703) 525-0978 OR BY E-MAIL (info@lee-tplaw.com), AND RETURN THE ORIGINAL TO US BY MAIL. WE WILL REIMBURSE YOU FOR THE POSTAGE.

LEE & STERBA, P.C.

FAX RECEIVED

7-2-03; 1:53PM;

;7035254265

2/ 3

JUL 03 2003

TC 1700

Attorney Docket No. 249/269

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

7/6/03
OFFICE 7/9/03

In re the Application of

Do-young SEUNG, et al.

Art Unit: 1746

Serial No. 09/888,435

Examiner: D.V. Scaltrito

Filed: June 26, 2001

Confirmation No. 9662

For: CATHODE ACTIVE MATERIAL AND
LITHIUM BATTERY EMPLOYING THE
SAME

RESPONSE TO REQUIREMENT FOR RESTRICTION

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Responsive to the requirement set forth in the Action dated June 2, 2003, applicants hereby provisionally elect the subject matter of Group I, Claims 1-5, drawn to a cathode active material for a lithium battery, classified in class 429, subclass 213.

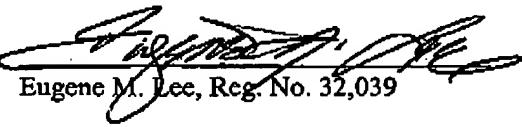
Applicants reserve the right to file divisional applications directed to the non-elected subject matter.

Action on the merits is solicited.

Respectfully submitted,

LEE & STERBA, P.C.

Date: July 2, 2003


Eugene M. Lee, Reg. No. 32,039

LEE & STERBA, P.C.
1101 WILSON BOULEVARD, SUITE 2000
ARLINGTON, VA 22209
703.525.0978 TEL
703.525.4265 FAX